



(Substitute) PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/537,722
Filing Date	August 1, 2005
First Named Inventor	Paul Townsend
Art Unit	1645
Examiner Name	
Attorney Docket Number	D2018/20002

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
☐ Fee Attached
☐ Amendment/Reply
☐ After Final
☐ Affidavits/declaration(s)
☐ Extension of Time Request
☐ Express Abandonment Request
☒ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)
☐ Reply to Missing Parts/
incomplete Application
☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a
Provisional Application
☐ Power of Attorney, Revocation
Change of Correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____
☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
☐ Appeal Communication to Board
of Appeals and Interferences
☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☒ Other Enclosure(s) (please identify
below):
- Return Receipt postcard
- PTO Form 1449 and copies of foreign
cited references

Remarks

Please charge Attorney Account No. 03-0075 as necessary to effect entry and/or
ensure consideration of this submission.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., Customer No. 03000		
Signature			
Printed name	Barry A. Stein		
Date	November 29, 2005	Reg. No.	25,257

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Typed or printed name	Barry A. Stein	Date	November 29, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

First Named Inventor: TOWNSEND, PAUL

Serial No: 10/537,722

Group Art Unit: 1645

Filed: August 1, 2005

Examiner:

Att. Docket No.: D2018/20002

Confirmation No.: 5121

For: BREATHING APPARATUS

INFORMATION DISCLOSURE STATEMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. No copies of U.S. patents or U.S. patent application publications are attached. 37 CFR § 1.98(a)(2)(ii). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. No representation is made that the references are prior art with respect to this application.

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a CPA under 37 CFR § 1.53(d), within three months of the date of entry of the national stage as set forth in 37 CFR § 1.491 in an international application, before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of an RCE under 37 CFR § 1.114. No certification or fee is required. 37 CFR § 1.97(b).

English-language Abstracts of the non-English language references are attached hereto.

Application No. 10/537,722

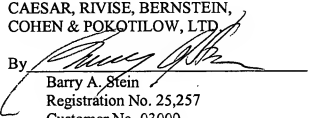
Information Disclosure Statement Dated November 29, 2005

The references were cited in a counterpart foreign application. An English language version of the foreign search report is attached for the Examiner's information.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD

By



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November 29, 2005

Please charge or credit our Account
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Substitute for Form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheet as necessary)

Complete if Known

Application Number	10/537,722
Filing Date	August 1, 2005
First Named Inventor	Townsend, Paul
Group Art Unit	1645
Examiner Name	
Attorney Docket Number	D2018/20002

Sheet	1	of	1
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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
/CTO/		4,356,820		Trinkwalder, Jr.	11-02-1982
/CTO/		4,819,626		Himmens	04-11-1989
/CTO/		6,394,091	B1	Giorgini	05-28-2002

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T
		Office	Number	Kind Code (if known)			
/CTO/		DE	1153258		Dragerwerk, Heint. & Bernh. Drager	08-22-1963	✓
/CTO/		DE	27 20 681	B1	Auergesellschaft GmbH	11-02-1978	✓
/CTO/		DE	10159219		MSA Auer GmbH	06-12-2003	✓

OTHER DOCUMENTS - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
/CTO/		International Search Report re PCT/GB 03/05346 mailed January 4, 2004	

EXAMINER

/Clinton Ostrup/

DATE CONSIDERED 12/04/2008

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

